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Practitioner's Docket No. 76109.01001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John I. Ykema

Application No.: 09/213,099

Group No.: 2841

Filed: December 17, 1998

Examiner: T. Phan

For: POWER NODE CONTROL CENTER

Box Non-Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

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TRANSMITTAL LETTER

1. Transmitted herewith is a response.
2. No additional fee for claims is required.

FEE DEFICIENCY

3. If any additional fee is required, for any reason, charge Account No. 50-1943.

Date: June 12, 2002

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(Amendment Transmittal--page 1 of 5)

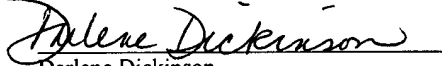


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Date: June 12, 2002


Darlene Dickinson



ATTORNEY DOCKET: 76109.01001
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#20/Response
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7/2/02

In re: Patent application of
John I. Ykema

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Group Art Unit: 2841

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RESPONSE

This is submitted in response to a paper bearing a mailing date of 4 June 2002, but lacking any paper number.

In that paper dated 4 June 2002, the examiner states that the 4 June 2002 paper was issued responsive to a communication filed on 6 March 2002.

The paper filed by applicant on 6 March 2002 was a third supplemental preliminary amendment which sought to amend claims 10, 25, 30, 31, 52, 56, 59, 61, 62, 66, 68, 74, 75 and 78 then pending in the application and further sought to add new claims 80-93 to the application.

The paper applicant filed on 6 March 2002 did **not** purport to be a response to a restriction requirement paper dated 14 January 2002 in which the examiner had required restriction of the subject matter disclosed in the patent application.

Applicant's undersigned attorney can only infer from the paper dated 4 June 2002 that the examiner did not receive, and hence has not been able to consider, the response to the restriction requirement filed by applicant on 13 February 2002. In this regard, applicant's undersigned attorney respectfully notes with appreciation the examiner's statement in that 4 June 2002 paper that the reply applicant filed 6 March 2002 appeared to be bona fide but was allegedly not fully responsive to the prior office action because applicant did not elect specific claims or embodiments for immediate examination.

The examiner's attention is most respectfully directed to applicant's paper styled "Response to Restriction Requirement" filed in the United States Patent and Trademark Office on 13 February 2002 in which applicant **provisionally elected** the claims of group I, namely claims 1-26, 35 and 52-74 in response to the restriction requirement and the requirement of election of one group for immediate prosecution.

For the examiner's convenience, a copy of applicant's response paper filed 13 February 2002 is attached hereto as exhibit 1.

In further considering the United States Patent and Trademark Office paper dated 4 June 2002, it is apparent that when issuing the United States Patent and Trademark Office paper dated 4 June 2002, the examiner had not received, and hence had not had the opportunity to consider, applicant's paper styled "Supplemental Response to Restriction Requirement" filed 11 March 2002. A copy of that paper is attached hereto as exhibit 2, for the examiner's convenience.

Applicant respectfully requests reconsideration of the restriction requirement that is outstanding, further requests withdrawal of the restriction requirement which is outstanding and yet further requests careful consideration by the examiner of the papers

filed on 13 February 2002 and 11 March 2002, copies of which are tendered herewith, in which applicant's arguments against the restriction requirement are articulated.

Applicant respectfully submits that the foregoing addresses all of the issues that are outstanding regarding this application and that upon consideration of the foregoing and the materials submitted herewith, the examiner should withdraw the extant restriction requirement and should examine all of the claims pending in the application on their merits.

Notification of the same is respectfully solicited.

Respectfully submitted,

Date: June 12, 2002



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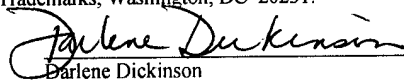
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